

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

MAYNER J. POPE

v.

AMERICAN AUTOMOBILE ASSOCIATION\*  
MID-ATLANTIC INC., ET AL.

Civil No. – JFM-15-2422

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**MEMORANDUM**

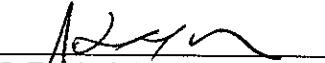
Plaintiffs have filed this action under 42 U.S.C. §1981.

An action under §1981 is based upon a contractual relationship between the parties. *See Domino's Pizza, Inc. v. McDonald*, 546 U.S. 470, 476 (2006). Indisputably, there is no breach of contract claim in this case. Moreover, there is no evidence that defendants discriminated against plaintiff. Even if defendant Givens used the phrase “you people,” it could have been a reference to several potential groups, including all AAA members, all claimants, or all individuals who get an opportunity to rent a vehicle.

This court declines to exercise supplemental jurisdiction over plaintiff’s negligence claim. There is no diversity of citizenship between the parties and the claim clearly does not reach the \$75,000 threshold for subject matter jurisdiction.

A separate order effecting the ruling made in this memorandum is being entered herewith.

Date: May 31, 2011

  
J. Frederick Motz  
United States District Judge

U.S. DISTRICT COURT  
DISPENSING JUSTICE  
FILED  
CLERK  
MAY 31 2011  
P.M.  
09  
J. FREDERICK MOTZ